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***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

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In re application of: Mieher et al.

Attorney Docket No.:

KLA1P117X1A/1151 CIP1

Application No.: 10/785,396

Examiner: STOCK JR., GORDON J.

Filed: February 23, 2004

Group: 2877

Title: APPARATUS AND METHODS FOR  
DETECTING OVERLAY ERRORS USING  
SCATTROMETRY

Confirmation No.: 6516

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CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on September 13, 2007.

Signed: /Mia Mitchell-Haynes/

Typed: Mia Mitchell-Haynes

**INFORMATION DISCLOSURE STATEMENT  
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE  
(37 CFR §§ 1.56 AND 1.97(c))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references identified in the attached PTO Form 1449, (copies of non-U.S. references are attached), may be material to examination of the above-identified patent application. Applicants identify these reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make the identified reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under

§1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Accompanying this Information Disclosure Statement is the fee set forth in 37 CFR 1.17(p).

If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. KLA1P117X1A).

Respectfully submitted,  
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